

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SIGNATURE BANK,

Plaintiff

X Electronically Filed

against-

08 Civ 3893
(NRB)(MHD)

ECF Case

AHAVA FOOD CORP, et. al.

Defendants,

STATE OF NEW YORK

)

) ss:

COUNTY OF NASSAU

)

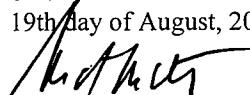
AFFIDAVIT OF SERVICE

Edward Soltan, being duly sworn deposes and says:

1. I am not a party to this action, I am over 18 years of age and I reside in Williston Park, NY.
2. That I received **Notice of Motion to Compel and for Sanctions, Declaration of John Oleske and Memorandum of Law in Support of Plaintiff's Motion to Compel and for Sanctions** to be served upon **Miriam Schwartz** located at 1953 53rd St., Brooklyn, New York 11204
3. That on August 18th, 2008 at 1:50 PM I personally served Miriam Schwartz by delivering and leaving a true copy of the **Notice of Motion to Compel and for Sanctions, Declaration of John Oleske and Memorandum of Law in Support of Plaintiff's Motion to Compel and for Sanctions** with "John Doe," who identified himself as "Father of Miriam," who accepted for Miriam Schwartz at the above location, said premises being Miriam Schwartz's usual place of dwelling.
4. Deponent further deposited on August 18th, 2008 a true and correct copy of the Notice of Motion to Compel and for Sanctions, John Oleske Declaration and MOL in Support of Plaintiff's Motion enclosed in a separate, sealed, properly addressed, fully postpaid, First Class Mail wrapper in an official depository under the exclusive care and custody of the U.S.P.S. within the State of New York addressed to: **Miriam Schwartz 1953 53rd St. Brooklyn, New York 11204**. Envelope bore the legend "Personal and Confidential" and did not indicate on the outside of thereof, by return address or otherwise, that the communication was from an attorney or concerned legal action against the defendant.
5. **Military Status:** Based upon my inquiry of the party served, the within named person is not in the military service of the United States of America.

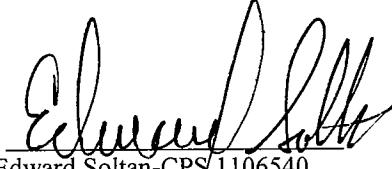
Description of "John Doe": Approx. Age: 62, Sex: M, Race/Skin Color: Caucasian, Approx. Height: 5' 10", Approx. Weight: 160, Hair: Gray, Glasses: Y

Sworn to before me this
19th day of August, 2008


Notary Public

TINA A. McCARTHY
Notary Public, State of New York
No. 01MC6115830
Qualified in Bronx County
Commission Expires 09/13/2008

2012


Edward Soltan-CPS 1106540